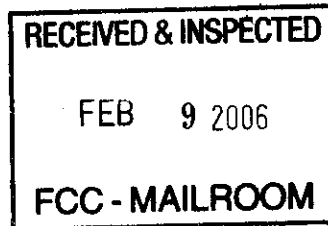


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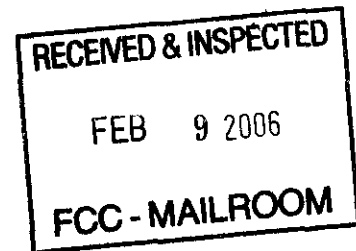


CLARKSBURG-HARRISON PUBLIC LIBRARY

FACSIMILE TRANSMITTAL SHEET

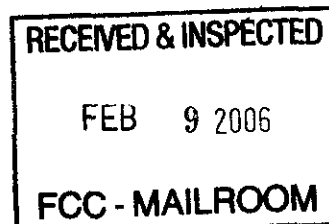
To: Federal Communications Commission Office of the Secretary	From: Beth Nicholson
FAX NUMBER: 202-418-0187	Date: February 9, 2006
	TOTAL NO. OF PAGES INCLUDING COVER: 7
Re: Request for Review	SENDER'S REFERENCE NUMBER: CC Docket No. 02-6

NOTES/COMMENTS:



Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

Re: Applicant Name: Clarksburg-Harrison Public Library
 Billed Entity Number: 126756
 Form 471 Application Number: 456281
 Funding Request Number: 1252984
 CC Docket Number: 02-6
 SLD Case Number(s): 21-336028/ 21-338619
 Contact Person: Beth Nicholson, Director
 404 W. Pike Street
 Clarksburg, WV 26301
 304-627-2236
 nicholsb@clark.lib.wv.us



09 February 2006

Request for Review SLD decision (Case Nos. 21-336028/ 21-338619).

Our original Form 471 Funding Commitment was rejected on the grounds "no contract was in place when the Form 471 certification was filed." However, as the attached documentation shows, our contract and form BOTH show they were dated 02/02/05. In addition, we have a copy of the SLUSP Form 471 Application Display that shows it was accessed on 02/02/05. The SLD shows our Verizon West Virginia, Inc. contract as dated 02/11/05, which was an error.

When we contacted the SLD by phone about an appeal of their decision, the SLD told us to file our appeal with the FCC, who in turn informed us that we needed to file our appeal with the SLD first in order to receive a case number. When we subsequently filed our appeal to the SLD, the time lost by filing with the FCC forced us to miss the postmark deadline for filing our appeal with the SLD. The SLD denied our appeal based on the postmark date of our appeal, not the facts of our situation.

We understand that the FCC infrequently overturns decisions of the SLD, however we are confident that once you look at the facts of our case you will overturn the SLD's decision to deny our original claim based on what we genuinely feel was a mistake made by the SLD. We thank you in advance for your prompt attention to this matter.

Sincerely yours,

A handwritten signature in cursive script that reads "Beth Nicholson".

Beth Nicholson, Director
Clarksburg-Harrison Public Library

10 of Copies rec'd 0
11A ABCDE



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2005-2006

December 13, 2005

Beth Nicholson
Clarksburg-Harrison Library
404 West Pike Street
Clarksburg, WV 26301-2712

Re: Applicant Name: CLARKSBURG-HARRISON LIBRARY
Billed Entity Number: 126756
Form 471 Application Number: 456281
Funding Request Number(s): 1252984
Decision Letter Date: September 08, 2005
Date Appeal Postmarked: November 23, 2005
Your Correspondence Received: November 23, 2005

Our records show that your appeal was postmarked more than 60 days after the date your Funding Commitment Decision Letter was issued, as shown above. Federal Communications Commission (FCC) rules require applicants to postmark appeals within 60 days of the date on the decision letter being appealed. FCC rules do not permit the Schools and Library Division (SLD) to consider your appeal.

If you believe there is a basis for further examination of your application, you may file an appeal with the FCC. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. Your appeal must be POSTMARKED within 60 days of the above date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found in the "Appeals Procedure" posted in the Reference Area of the SLD web site or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

Schools and Libraries Division
Universal Service Administrative Company

Beth Nicholson
Clarksburg-Harrison Library
404 West Pike Street
Clarksburg, WV 26301-2712

Billed Entity Number: 126756
Form 471 Application Number: 456281
Form 486 Application Number:

Letter of Appeal
Schools and Libraries Division
Box 125 - Correspondence Unit
80 South Jefferson Road
Whippany, NJ 07981

Dear Sir:

This is a letter of appeal requesting a review of our 471. After our contact with the SLD about case #21-336028, the reply was that a request must be submitted along with a copy of the contract from Verizon West Virginia Inc. (dated 02/02/05) which is in question by the SLD.

Speaking with the SLD RE: Case # 21-336028 they show the contract date as 02/11/05. Please note the date on the contract from Verizon West Virginia Inc. 02/02/05. I submitted my 471 by E-Mail on the same day (02/02/05).

I am forwarding the three examples, Form 471, Verizon's contract, Funding Commitment report, for your consideration. I look forward to your response to this inquiry at your earliest convenience.

FUNDING COMMITMENT REPORT
Billed Entity Name: CLARKSBURG-HARRISON LIBRARY
BEN: 126756
Funding Year: 2005

Form 471 Application Number: 456281
Funding Request Number: 1252984
Funding Status: Not Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 199290000
SPIN: 143001432
Service Provider Name: Verizon West Virginia Inc.
Contract Number: N/A
Billing Account Number: 304-627-2236
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 126756
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$3,303.36
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$3,303.36
Discount Percentage Approved by the SLD: N/A
Funding Commitment Decision: \$0.00 - Contract Violation
Funding Commitment Decision Explanation: No contract was in place when the Form 471 certification was filed.

FCDL Date: 09/08/2005
Wave Number: 011

Funding Request Number: 1253070
Funding Status: Funded
Category of Service: Telecommunications Service
Form 470 Application Number: 199290000
SPIN: 143001192
Service Provider Name: AT&T Corp.
Contract Number: MTM
Billing Account Number: 304-627-2236
Service Start Date: 07/01/2005
Contract Expiration Date: 06/30/2006
Site Identifier: 126756
Number of Months Recurring Service Provided in Funding Year: 12
Annual Pre-discount Amount for Eligible Recurring Charges: \$362.76
Annual Pre-discount Amount for Eligible Non-recurring Charges: \$.00
Pre-discount Amount: \$362.76
Discount Percentage Approved by the SLD: 80%
Funding Commitment Decision: \$290.21 - ERN approved as submitted

FCDL Date: 09/08/2005
Wave Number: 011

NOV-18-2005 FRI 09:07 AM WV LIBRARY COMMISSION

FAX NO. 304 558 2044

P. 01

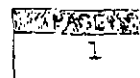


State of West Virginia
Department of Administration
Purchasing Division
2019 Washington Street East
Post Office Box 50130
Charleston, WV 25305-0130

Purchase Order

PURCHASE ORDER NO.

DATA05A

05D 49
R 761

PUNCKER RELEASE

00

CORRECT PURCHASE ORDER NO.
MUST APPEAR ON ALL PACKS/
INVOICES, AND SHIPPING PAPERS.
QUESTIONS CONCERNING THIS
CHASE ORDER SHOULD BE DIRE
TO THE BUYER AS NOTED BELOW.

ALL STATE AGENCIES
AND POLITICAL SUBDIVISIONS
VARIOUS LOCALES AS INDICATED
BY ORDER

CHANGE ORDER

SEE REVERSE SIDE FOR
TERMS AND CONDITION

Purchasing Division's File Copy

*709034844 304-344-7834
VERIZON WV INC
1500 MACCORKLE AVE SE
ROOM 222
CHARLESTON WV 25314

FORM 471 ITEM 21 ATTACHMENT / (Pg. 1 OF 15)
DEPARTMENT OF ADMINISTRATION-IS&C
BILLED ENTITY# 126677
471 APP# 154216 FRN.1302428
FORM ID: SLN-YR8

LINE	QUANTITY	UOP	VENDOR ITEM NO	UNIT PRICE	AMOUNT
DELIVERY DATE	CAT. NO.	ITEM NUMBER			
0001	06/30/2007	JB	205-39		
	PER ATTACHED PRICE		QUOTES		
			OPEN-END CONTRACT		
<p>TO PROVIDE DATA CIRCUITS STATEWIDE INCLUDING CIRCUITS FOR THE DEPARTMENT OF EDUCATION K-12 COMMUNITY AND THE PUBLIC LIBRARY COMMISSION.</p> <p>ALL IN ACCORDANCE WITH THE FOLLOWING DOCUMENTS THAT ARE HEREBY INCORPORATED BY REFERENCE:</p> <ol style="list-style-type: none"> 1) REQUEST FOR QUOTATION (RFQ), DATED NOVEMBER 22, 2004, AS RELEASED BY THE PURCHASING DIVISION; 2) ADDENDUM NUMBER 01 TO THE RFQ, DATED DECEMBER 6, 2004 AS RELEASED BY THE PURCHASING DIVISION; 3) ADDENDUM NUMBER 02 TO THE RFQ, DATED DECEMBER 13, 2004, AS RELEASED BY THE PURCHASING DIVISION. <p>ORDERING PROCEDURE: ALL REQUESTS FOR SERVICE SHALL BE</p>					
<p>APPROVED FOR ONE FISCAL YEAR</p> <p>APPROVED AS TO FORM BY ASSISTANT ATTORNEY GENERAL</p> <p>IF APPROVAL AND FORM IS REQUIRED BY ATTORNEY GENERAL CHECK HERE</p> <p>CHARLYN MILLER 304-558-2596</p> <p>BY <i>Laura Bunch</i> PURCHASING DIVISION AUTHORIZED SIGNATURE</p>					
TOTAL					

SWC
MICROFILMED
FEB 03 2005

WV State Purchasing Division
Administration Unit
Certified Encumbered

FEB 03 2005

ENTERED

OPEN END